

**BEST AVAILABLE COPY RECEIVED
CENTRAL FAX CENTER**

FEB 22 2007

FAX TRANSMISSION**DATE:** February 22, 2007**PTO IDENTIFIER:** Application Number 10/658,777-Conf. #4073
Patent Number**Inventor:** Gene Savchuk**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (571) 273-8300**FROM:** PATTON BOGGS LLP

Matthew J. Laskoski

PHONE: (703) 744-8055**Attorney Dkt. #:** 020501.0802PTUS**PAGES (Including Cover Sheet):** 4**CONTENTS:** Response to Restriction Requirement (with Traverse) (2 pages)
Certificate of Transmission (1 page)

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (703) 744-8055 and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

PATTON BOGGS LLP8484 Westpark Drive, 8th Floor, McLean, Virginia 22102
Telephone: (703) 744-8000 Facsimile: (703) 744-8001

BEST AVAILABLE COPY

RECEIVED
CENTRAL FAX CENTER

FEB 22 2007

Docket No.: 020501.0802PTUS
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Gene Savchuk

Application No.: 10/658,777

Confirmation No.: 4073

Filed: September 10, 2003

Art Unit: 2152

For: HIGH-PERFORMANCE NETWORK
CONTENT ANALYSIS PLATFORM

Examiner: Kenny S. Lin

RESPONSE TO RESTRICTION REQUIREMENTMS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement set forth in the Office Action mailed January 22, 2007, Applicant hereby provisionally elects Group III: Claims 15 - 17, 20 and 23 for continued examination, with traverse.

The Examiner has required restriction between Group I: Claims 1 - 10, 10 and 21, drawn to analyzing a communication session; Group II: Claims 11 - 14, 19 and 22, drawn to preventing unauthorized transfer; and Group III: Claims 15 - 17, 20 and 23, drawn to preventing data leaks.

The Examiner contends that the inventions of the Groups I, II and III contain claims that are distinct from each other because the claims of Groups I, II and III are related as combination and subcombination disclosed as usable together in a single combination.

The Commissioner may require restriction if two or more independent and distinct inventions are claimed in a single application (37 CFR 1.142(a)). In the present case, although the claimed subject matter may be classified in different classes, the inventions are not independent. Each of the Groups suggested by the Examiner is related to the common theme of preventing unwanted transfer of information. Each of the Groups requires receiving network communications

NOVA\3671343.01

Application No.: 10/658,777

Docket No.: 020501.0802PTUS

followed by a detection-type process. It would not be a serious burden on the Examiner to examine all of the Groups together due to their related nature.

Applicant respectfully requests the Examiner to substantiate the position found in the Office Action in greater detail. The claims are directed to related inventions. In particular, Groups II and III are classified in the same class and in similar subclasses. It would not be an undue burden on the Examiner to search at least those two Groups together. For example, Class 726, subclass 26 only contains 354 issued patents and Class 726, subclass 23 only contains 209 issued patents. The Examiner should be familiar with these classes and searching at least both subclasses would not be an undue burden.

It is respectfully requested that the restriction requirement be withdrawn, and that each of claims 1 - 23 presently pending in this application be examined.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-2228, under Order No. 020501.0802PTUS from which the undersigned is authorized to draw.

Dated: February 22, 2007

Respectfully submitted,

By 

Matthew J. Laskowski

Registration No.: 55,360

PATTON BOGGS LLP

8484 Westpark Drive, 9th Floor

McLean, Virginia 22102

(703) 744 - 8000

(703) 744 - 8001 (Fax)

Attorney for Applicant

BEST AVAILABLE COPY

RECEIVED
CENTRAL FAX CENTER

FEB 22 2007

PTO/SB/97 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

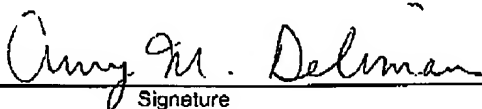
Application No. (if known): 10/658,777

Attorney Docket No.: 020501.0802PTUS

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on February 22, 2007
Date



Signature

Amy M. Deliman

Typed or printed name of person signing Certificate

Registration Number, if applicable

(703) 744-7922

Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Response to Restriction Requirement (with Traverse) (2 pages)